

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3590

IN THE MATTER OF:

Served December 3, 1990

Application of DIPLOMAT LIMOUSINE)
AND LIVERY SERVICE, INC., for)
Special Authorization to Conduct)
Charter Operations Pursuant to)
Contract with United States)
Department of Health and Human)
Services, National Institutes of)
Health)

Case No. CP-90-05

By application filed November 29, 1990, Diplomat Limousine and Livery Service, Inc. (Diplomat or applicant), seeks authorization to conduct charter operations pursuant to WMATC Special Certificate No. 1 under a contract with the United States Department of Health and Human Services, National Institutes of Health (NIH), transporting employees of and persons traveling on official business with NIH, together with mail, express, and baggage in the same vehicles as passengers, between points on the NIH Campus (including Building 31) at Rockville Pike and Cedar Lane; the White Flint Metro Station, Marinelli Road and Rockville Pike; and Executive Plaza, 6130/6120 Executive Boulevard. All these points are located in Montgomery County, MD.

The contract term extends from December 20, 1990, to June 30, 1991. The contract requires shuttle service between the three named sites on a scheduled basis from 7:30 a.m. to 6:06 p.m., Monday through Friday, except federal holidays. Evening scheduled service between the same points is required, Monday through Thursday, from 6:45 p.m. through 7:30 p.m. In addition, NIH may require Diplomat, on special occasions, to perform up to five moves between points in the Metropolitan District. Diplomat would perform the service using three 21-passenger vehicles, each equipped with a two-way radio.

With its application, Diplomat submitted a balance sheet as of September 30, 1990, showing current assets of \$142,273 and fixed assets of \$25,364 after allowance for depreciation. Current liabilities of \$301,349; no long-term liabilities; and equity of (\$133,712), including capital stock of \$1,000 and a deficit to retained earnings of \$661,966, are listed. An operating statement for the 12-month period ended September 30, 1990, also submitted with Diplomat's application, shows operating income of \$1,632,763 and operating expenses for the same period of \$1,614,009.

In a notarized statement, NIH's representative described its service requirements. Approximately 35,000 persons will be transported during the contract period. NIH's contracting officer attests that

Diplomat has been investigated and a determination made that it is responsible and has the ability successfully to perform the contract.

Inasmuch as a contract for a period in excess of 181 days has been executed by the government for the transportation of its employees and persons traveling on official government business, this application appears to be amenable to processing under Commission Regulation No. 70. See Order No. 2004, served June 20, 1979, and effective July 21, 1979. Pursuant to Commission Regulation No. 70-06, notice of this application must be published and opportunity given for the filing of protests. Protests, if any, must be written, sworn, and notarized and must contain all evidence and argument upon which the protestant would rely.

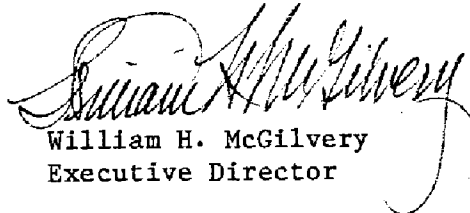
THEREFORE, IT IS ORDERED.

1. That Diplomat Limousine and Livery Service, Inc., shall publish once in a newspaper of general circulation in the Metropolitan District notice of this application in the form prescribed by the staff of the Commission, no later than Friday, December 7, 1990.

2. That Diplomat Limousine and Livery Service, Inc., shall file with the Commission no later than Monday, December 17, 1990, the following: (a) an affidavit of publication of notice; (b) a projection of revenue and revenue deductions attributable to the proposed service; and (c) a notarized statement pursuant to Commission Regulation No. 70-04(13).

3. That any person desiring to protest this application shall file a notarized protest in conformance with Commission Regulation No. 70-06 at the office of the Washington Metropolitan Area Transit Commission, 1828 L Street, N.W., Suite 703, Washington, DC 20036-5104, no later than Monday, December 17, 1990, and shall simultaneously serve a copy of such protest on applicant's president, Mr. Peter McGhee, Diplomat Limousine and Livery Service, Inc., 11405 Maryland Avenue, Beltsville, MD 20705.

FOR THE COMMISSION:


William H. McGilvery
Executive Director